

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION**

United States of America,)	
)	
Plaintiff,)	
vs.)	Case No. 10-6003-01-CR-W-FJG
Jesse D. Wilson,)	
)	
Defendant.)	

ORDER

Pending before the Court is the issue of defendant's mental competency. On November 1, 2010, this Court ordered defendant to undergo a psychological examination to determine competency prior to proceeding (Doc. #20). Chief Magistrate Robert E. Larson then directed Dr. John H. Wisner to determine whether defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to properly assist in his defense (Doc. #21, November 16, 2010). Dr. Wisner's report was filed on January 20, 2011 (Doc. #24).

Judge Larsen held a hearing regarding defendant's mental competency on January 31, 2011, at which time the parties stipulated to the Dr. Wisner's forensic evaluation and waived the 14-day objection period, and issued a report and recommendation (Doc. #28, February 4, 2011) finding defendant competent. No objections to the report and recommendation were filed.

The Court, after independent review of the record and applicable law, finds that defendant is competent to understand the nature and consequences of the proceedings against him and to properly assist in his own defense, and that he is competent to stand trial.

IT IS SO ORDERED.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
Chief United States District Judge

Dated: 02/09/11
Kansas City, Missouri